

(d) FDA will evaluate substantial compliance separately for raw agricultural commodities and for raw fish.

[55 FR 60890, Nov. 27, 1991, as amended at 61 FR 42759, Aug. 16, 1996]

§ 101.44 Identification of the 20 most frequently consumed raw fruit, vegetables, and fish in the United States.

(a) The 20 most frequently consumed raw fruit are: Banana, apple, watermelon, orange, cantaloupe, grape, grapefruit, strawberry, peach, pear, nectarine, honeydew melon, plum, avocado, lemon, pineapple, tangerine, sweet cherry, kiwifruit, and lime.

(b) The 20 most frequently consumed raw vegetables are: Potato, iceberg lettuce, tomato, onion, carrot, celery, sweet corn, broccoli, green cabbage, cucumber, bell pepper, cauliflower, leaf lettuce, sweet potato, mushroom, green onion, green (snap) bean, radish, summer squash, and asparagus.

(c) The 20 most frequently consumed raw fish are: Shrimp, cod, pollock, catfish, scallops, salmon (Atlantic/Coho, chum/pink, sockeye), flounder/sole, oysters, orange roughy, Atlantic/Pacific mackerel, ocean perch, rockfish, whiting, clam, haddock, blue crab, rainbow trout, halibut, lobster, and swordfish.

[55 FR 60890, Nov. 27, 1991, as amended at 61 FR 42760, Aug. 16, 1996]

§ 101.45 Guidelines for the voluntary nutrition labeling of raw fruits, vegetables, and fish.

(a) Nutrition labeling for raw fruits, vegetables, and fish listed in § 101.44 should be presented to the public in the following manner:

(1) Nutrition labeling information should be displayed at the point of purchase by an appropriate means such as by a label affixed to the food or through labeling including shelf labels, signs, posters, brochures, notebooks, or leaflets that are readily available and in close proximity to the foods. The nutrition labeling information may also be supplemented by a video, live demonstration, or other media.

(2) Serving sizes should be determined, and nutrients declared, in accordance with § 101.9 (b) and (c), respectively, except that the nutrition label-

ing data should be based on the raw edible portion for fruits and vegetables and on the cooked edible portion for fish. The methods used to cook fish should be those that do not add fat, breading, or seasoning (e.g., salt or spices).

(3) When nutrition labeling information is provided for more than one raw fruit, vegetable, or fish on signs, posters, brochures, notebooks, or leaflets, it may be presented in charts with horizontal or vertical columns or as a compilation of individual nutrition labels. Nutrition labeling that is presented in a linear display (see § 101.9(j)(13)(ii)(A)(2)) will not be considered to be in compliance. The heading "Nutrition Facts" must be in a type size larger than all other print in the nutrition label. The required information (i.e., headings, serving sizes, list of nutrients, quantitative amounts by weight (except for vitamins and minerals), and percent of Daily Values (DV's) (except for sugars and protein) must be clearly presented and of sufficient type size and color contrast to be plainly legible, with numeric values for percent of DV highlighted in contrast to the quantitative amounts by weight and hairlines between all nutrients.

(i) Declaration of the number of servings per container need not be included in the nutrition labeling of raw fruits, vegetables, and fish.

(ii) Except for the statement "Percent Daily Values are based on a 2,000 calorie diet," the footnote required in § 101.9(d)(9) is not required. However, when labeling is provided in brochures, notebooks, leaflets, or similar types of materials, retailers are encouraged to include the footnote.

(iii) When the nutrition labeling information for more than one raw fruit or vegetable is provided on signs, posters, brochures, notebooks, or leaflets, the listings for saturated fat and cholesterol may be omitted from the charts or individual nutrition labels so long as the fact that most fruits and vegetables provide negligible amounts of these nutrients, but that avocados contain 1 gram (g) of fat per ounce, is stated in a footnote (e.g., "Most fruits and vegetables provide negligible amounts of saturated fat and cholesterol; avocados provide 1 g of saturated